

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The office action dated October 17, 2003 has been received and its contents carefully reviewed. Claims 1-5, 7, 10-13, 15, 16, 19, 20, 22-30, 32-36, 38, 40, 42, and 43 remain in the application.

In the Office Action, claims 1-5, 7, 9-16, 19-20, 22-30, 32-36, 38, 40, and 42-43 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over U.S. Patent No. 6,335,776 to Kim et al. (hereinafter “776 patent”) in view of U.S. Patent No. 6,462,798 to Kim et al. (hereinafter “798 patent”).


With respect to the rejection of claims 1-5, 7, 10-13, 15, 16, 19, 20, 22-30, 32-36, 38, 40, 42, and 43 under the judicially created doctrine of obviousness-type double patenting, Applicant respectfully submits that claims 1-5, 7, 10-13, 15, 16, 19, 20, 22-30, 32-36, 38, 40, 42, and 43 of the present application are not obvious over the ‘776 patent in view of the ‘798 patent. However, for the sole purpose of expediting the prosecution of the application, Applicant hereby submits a Terminal Disclaimer to overcome the rejection. Applicant submits that this rejection is moot in view of the Terminal Disclaimer filed concurrently herewith.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: January 21, 2004

Respectfully submitted,


By 
Eric J. Nuss

Registration No.: 40,106
MCKENNA LONG & ALDRIDGE LLP
1900 K Street, N.W.
Washington, DC 20006
(202) 496-7500
Attorney for Applicant

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: January 21, 2004

Respectfully submitted,

By 
Eric J. Nuss

Registration No.: 40,106
MCKENNA LONG & ALDRIDGE LLP
1900 K Street, N.W.
Washington, DC 20006
(202) 496-7500
Attorney for Applicant